

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/526,256

Filed: May 5, 2006

Applicants: ABREU, Maria T.; TAYLOR, Kent D.;
ROTTER, Jerome I.; YANG, Huiying;
SUGIMURA, Kazhuito; TARGAN, Stephan R.

Title: MUTATIONS IN NOD2 ARE ASSOCIATED WITH
FIBROSTENOSING DISEASE IN PATIENTS WITH
CROHN'S DISEASE

Group Art Unit: 2644

Examiner: Not
Assigned

Confirmation No. 7450

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sirs:

An omission was noted on the official FILING RECEIPT mailed on September 18, 2006 for the above-identified application whereas only one inventor was named, Maria T. Abreu, omitting the other 5 inventors, namely, Kent D. Taylor, Jerome I. Rotter, Huiying Yang, Kazhuito Sugimura and Stephan R. Targan (a copy of which is attached hereto).


On May 5, 2006, Applicants responded to a Decision dated April 27, 2006 by which the Notification of Abandonment dated January 30, 2006 was vacated. Applicants were given one month to respond to the Decision providing the Examiner complete copies of the three individually signed declarations executed by each inventor (a copy of which is attached hereto).

Applicants respectfully request that an Updated FILING RECEIPT be issued to acknowledge the filing of the three individually signed declarations on May 5, 2006 and listing all of the inventors.

Applicants respectfully request that the Updated FILING RECEIPT be mailed to the address set forth below.

Respectfully submitted,

Dated: February 12, 2007



Seth D. Levy, Reg. No. 44,869

DAVIS WRIGHT TREMAINE LLP
865 South Figueroa Street, Suite 2400
Los Angeles, California 90017-2566
Telephone: (213) 633-6800
Facsimile: (213) 633-6899

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SEP 26 2006

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draft to line

6-15-06

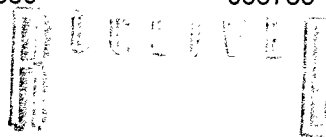


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/526,256	05/05/2006	2644	880	066783-0152	15	23	2

41552
 MCDERMOTT, WILL & EMERY
 4370 LA JOLLA VILLAGE DRIVE, SUITE 700
 SAN DIEGO, CA 92122



95610.900641

CONFIRMATION NO. 7450

FILING RECEIPT



OC000000020439712

Date Mailed: 09/18/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Maria T. Abreu, New York, NY;

Power of Attorney:

Deborah Cadena--44048

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/23926 07/30/2003

Foreign Applications

UNITED STATES OF AMERICA 60407391 08/30/2002
 UNITED STATES OF AMERICA 10356736 01/30/2003

Projected Publication Date: 12/21/2006

Non-Publication Request: No

Early Publication Request: No

Title

Mutations in nod2 are associated with fibrostenosing disease in patients with crohn's disease

Preliminary Class

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the

national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY

Docket No.: 066783-0152


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Abreu, Maria, et al.
Appl. No. : 10/526,256
Filed : February 28, 2005
Title : MUTATIONS IN NOD2 ARE ASSOCIATED
WITH FIBROSTENOSING DISEASE IN
PATIENTS WITH CROHN'S DISEASE

Grp./A.U. : 2644
Examiner: : Unassigned

Customer No.: 41552
Confirmation No.: 7450
CERTIFICATE OF MAILING BY EXPRESS MAIL(37
CFR § 1.10)
"Express Mail" Mailing Label Number EV 643844819 US
I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR § 1.10 on the date indicated
above and is addressed to Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450 on May 5, 2006.


Lorraine Smith

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

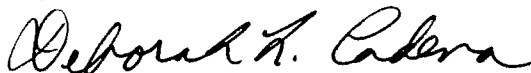
Dear Sir:

Transmitted herewith is a Communication in the above-identified application.

- ☒ Also attached: Three complete copies of the Declaration (4 pages each) as signed by all inventors.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Deborah L. Cadena
Registration No. 44,048

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DLC:llf
Facsimile: 858.597.1585
Date: May 5, 2006

Please recognize our Customer No. 41552 as our
correspondence address.

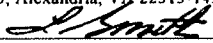
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Grp./A.U. : 2644
Examiner: : Unassigned

Customer No.: 41552
Confirmation No.: 7450
CERTIFICATE OF MAILING BY EXPRESS MAIL(37
CFR § 1.10)
"Express Mail" Mailing Label Number EV 643844819 US
I hereby certify that this paper or fee is being deposited with
the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR § 1.10 on the date indicated
above and is addressed to Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450 on May 5, 2006.

Lorraine Smith

COMMUNICATION

Mail Stop PCT
Assistant Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Attention: PCT Legal Office

Dear Sir:

This Communication is responsive to the Decision dated April 27, 2006, by which the Notification of Abandonment dated January 30, 2006, is vacated.

Pursuant to the Examiner's determination that the Declaration filed on January 17, 2006, was not accepted because it was filed in counterpart signature pages, attached hereto are complete copies of the three individually signed Declarations as executed by each of the inventors herein.

It is respectfully requested that the Declarations provided herewith be accepted and accorded the filing date of January 17, 2006.


The Examiner is invited to contact the undersigned if there are any questions.

10/526,256

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Deborah L. Cadena
Registration No. 44,048

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DLC:llf
Facsimile: 858.597.1585
Date: May 5, 2006

**Please recognize our Customer No. 41552
as our correspondence address.**

Docket No.: 066783-0152

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled MUTATIONS IN NOD2 ARE ASSOCIATED WITH FIBROSTENOSING DISEASE IN PATIENTS WITH CROHN'S DISEASE, the specification of which was filed on February 28, 2005, as United States Application Number 10/526,256.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56 including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's right certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's, or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country	Day/Month/Year filed	Priority Claimed
PCT/US03/23926	PCT	30/07/2003	<input checked="" type="checkbox"/>

I hereby claim the benefit under 35 United States Code, Section 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number	Filing Date
60/407,391	08/30/2002

Serial No.: 10/526,256

I hereby claim the benefit under 35, United States Code, Section 120 of any United States application(s) or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35, United States Code, Section 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

Application No.

10/356,736

Filing Date

01/30/2003

Status:

Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the registered practitioners of McDermott Will & Emery LLP, included in the Customer Number provided below, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

CUSTOMER NUMBER 41552


Send correspondence to the address associated with Customer Number 41552

McDERMOTT WILL & EMERY LLP
4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122

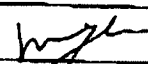
Direct Telephone Calls to: Telephone 858.643.1400

Serial No.: 10/526,256


Full name of sole or first inventor: Maria T. ABREU

Inventor's signature: 

Date: 1/3/06

Residence: ~~Pacific Palisades, California~~ New York, NY 

Citizenship: United States of America

Post Office Address: ~~1309 Marinette Road, Pacific Palisades, CA 90272~~300 EAST 77th ST #12A New York NY 10029


Full name of second inventor: Kent D. TAYLOR

Inventor's signature:

Date:

Residence: Ventura, California

Citizenship: United States of America

Post Office Address: 9302 Halifax Street, Ventura, CA 93004

Full name of third inventor: Jerome I. ROTTER

Inventor's signature:

Date:

Residence: Los Angeles, California

Citizenship: United States of America

Post Office Address: 2617 Greenfield Avenue, Los Angeles, CA 90064

Full name of fourth inventor: Huiying YANG

Inventor's signature:

Date:

Residence: Cerritos, California

Citizenship: United States of America

Post Office Address: 16409 Holmes Place, Cerritos, CA 90064

Serial No.: 10/526,256

Full name of fourth inventor: Kazuhito SUGIMURA

Inventor's signature:

Date:

Residence: Niigata, Japan

Citizenship: Japan

Post Office Address: Heim Pastoreale A3, Aoyama Shinmachi 21-10, Niigata 950-2009, Japan

Full name of fourth inventor: Stephan R. TARGAN

Inventor's signature:

Date:

Residence: Santa Monica, California

Citizenship: United States of America

Post Office Address: 240 22nd Street, Santa Monica, CA 90402

SDO 32894-1.066783.0152

Docket No.: 066783-0152

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled MUTATIONS IN NOD2 ARE ASSOCIATED WITH FIBROSTENOSING DISEASE IN PATIENTS WITH CROHN'S DISEASE, the specification of which was filed on February 28, 2005, as United States Application Number 10/526,256.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56 including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's right certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's, or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country	Day/Month/Year filed	Priority Claimed
PCT/US03/23926	PCT	30/07/2003	<input checked="" type="checkbox"/>

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Serial No.: 10/526,256

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Prior U.S. Application(s):

Application No.	Filing Date	Status:
10/356,736	01/30/2003	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the registered practitioners of McDermott Will & Emery LLP, included in the Customer Number provided below, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

CUSTOMER NUMBER 41552

Send correspondence to the address associated with Customer Number 41552

McDERMOTT WILL & EMERY LLP
4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122

Direct Telephone Calls to: Telephone 858.643.1400

Serial No.: 10/526,256

Full name of sole or first inventor: Maria T. ABREU

Inventor's signature:

Date:

Residence: Pacific Palisades, California

Citizenship: United States of America

Post Office Address: 1309 Marinette Road, Pacific Palisades, CA 90272

Full name of second inventor: Kent D. TAYLOR

Inventor's signature:

Date: 1/3/2006

Residence: Ventura, California

Citizenship: United States of America

Post Office Address: 9302 Halifax Street, Ventura, CA 93004

Full name of third inventor: Jerome I. ROTTER

Inventor's signature:

Date: 1/3/2006

Residence: Los Angeles, California

Citizenship: United States of America

Post Office Address: 2617 Greenfield Avenue, Los Angeles, CA 90064

Full name of fourth inventor: Huiying YANG

Inventor's signature:

Date: 1/3/2006

Residence: Cerritos, California

Citizenship: United States of America

Post Office Address: 16409 Holmes Place, Cerritos, CA 90064

Serial No.: 10/526,256

Full name of fourth inventor: Kazuhito SUGIMURA

Inventor's signature:

Date:

Residence: Niigata, Japan

Citizenship: Japan

Post Office Address: Heim Pastorale A3, Aoyama Shinmachi 21-10, Niigata 950-2009, Japan

Full name of fourth inventor: Stephan R. TARGAN

Inventor's signature:

Date: 1-7-06

Residence: Santa Monica, California

Citizenship: United States of America

Post Office Address: 240 22nd Street, Santa Monica, CA 90402

SDO 32894-1.066783.0152

Docket No.: 066783-0152

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Direct Telephone Calls to: Telephone 858.643.1400

Serial No.: 10/526,256

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Inventor's signature:

Date:

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Citizenship: United States of America

Post Office Address: 1309 Marinette Road, Pacific Palisades, CA 90272

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Post Office Address: 2617 Greenfield Avenue, Los Angeles, CA 90064

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Inventor's signature:

Date:

Residence: Cerritos, California

Citizenship: United States of America

Post Office Address: 16409 Holmes Place, Cerritos, CA 90064

Serial No.: 10/526,256

Full name of fourth inventor: Kazuhito SUGIMURA

Inventor's signature:

K. Sugimura

Date: Jan. 9. 2006

Residence: Niigata, Japan

Citizenship: Japan

Post Office Address: Heim Pastoralc A3, Aoyama Shinmachi 21-10, Niigata 950-2009, Japan

Full name of fourth inventor: Stephan R. TARGAN

Inventor's signature:

Date:

Residence: Santa Monica, California

Citizenship: United States of America

Post Office Address: 240 22nd Street, Santa Monica, CA 90402

SDO 32894-1.066783.0152